

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

Matthew A. Smith,	)	
	)	
Plaintiff,	)	<b>ORDER</b>
	)	
vs.	)	
	)	
HSS,	)	Case No. 1:20-cv-224
	)	
Defendant.	)	

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Plaintiff initiated this action pro se and in forma pauperis on December 7, 2020, asserting claims against his apparent employer for discrimination and negligence. (Doc. Nos. 1 and 4). Judge Traynor subsequently referred this matter to the Magistrate Judge for initial review pursuant to 28 U.S.C. § 1915(e)(2).

On December 22, 2020, I issued a report recommending that this action be dismissed without prejudice for lack of personal jurisdiction given that plaintiff and defendant have no discernable connection to this district and the conduct at issue is not alleged to have occurred in this district. (Doc. No. 6). Plaintiff's response to the report and recommendation is due by January 11, 2021.

On January 7, 2021, Plaintiff filed a "Motion for Stay of Execution." He requests that this matter be stayed indefinitely while he gets his finances in order, assembles his case, and searches for legal representation.

For the reasons I articulated in the report and recommendation, courts in this district lack personal jurisdiction. Staying this matter indefinitely is unlikely to benefit plaintiff. Rather, it could arguably be to his detriment given his limited means and reality that his chances of persuading this court that it has personal jurisdiction are beyond remote. His energies and resources are better spent

in a district where a court would have personal jurisdiction. Accordingly, plaintiff's request for a stay (Doc. No. 7) is **DENIED**. As it unlikely that plaintiff will receive notice of this decision until well after his deadline for objecting to the report and recommendation has lapsed, his deadline for filing such objections shall be extended until January 25, 2021.

**IT IS SO ORDERED.**

Dated this 11th day of January, 2021.

/s/ Clare R. Hochhalter  
Clare R. Hochhalter, Magistrate Judge  
United States District Court